

**LUCAS COUNTY COMMON PLEAS COURT  
CASE DESIGNATION**

TO: Bernie Quilter, Clerk of Courts

CASE NO. \_\_\_\_\_

JUDGE \_\_\_\_\_ **G-4801-CI-0202202385-000**

Judge

**JOSEPH V. MCNAMARA**

The following type of case is being filed:

**Professional Malpractice**☐ Legal Malpractice (L)☐ Medical Malpractice (M)☐ **Product Liability (B)**☒ **Other Tort (C)****Workers' Compensation**☐ State Funded (D)☐ Self Insured (K)☐ **Administrative Appeal (F)**☐ **Commercial Docket**

By submitting the complaint, with the signature of the Attorney, the Attorney affirms that the name of person with settlement authority and his/her direct phone number will be provided upon request to a party or counsel in this matter

**Other Civil**☐ Consumer Fraud (N) ☐ Forfeiture☐ Appropriation (P) ☐ Court Ordered☐ Other Civil (H) ☐ Certificate of Title☐ Copyright Infringement (W)

This case was previously dismissed pursuant to CIVIL RULE 41 and is to be assigned to Judge \_\_\_\_\_, the original Judge at the time of dismissal. The previously filed case number was CI \_\_\_\_\_.

This case is a civil forfeiture case with a criminal case currently pending. The pending case number is \_\_\_\_\_, assigned to Judge \_\_\_\_\_.

This case is a Declaratory Judgment case with a personal injury or related case currently pending. The pending case number is \_\_\_\_\_, assigned to Judge \_\_\_\_\_.

This case is to be reviewed for consolidation in accordance with Local Rule 5.02 as a companion or related case. This designation sheet will be sent by the Clerk of Courts to the newly assigned Judge for review with the Judge who has the companion or related case with the lowest case number. The Judge who would receive the consolidated case may accept or deny consolidation of the case. Both Judges will sign this designation sheet to indicate the action taken. If the Judge with the lowest case number agrees to accept, the reassignment of the case by the Administration Judge shall be processed. If there is a disagreement between the Judges regarding consolidation, the matter may be referred to the Administrative Judge.

Related/companion case number \_\_\_\_\_ Assigned Judge \_\_\_\_\_

Approve/Deny

Date

Approve/Deny

Date

**Attorney**

D. Lee Johnson (0044081)

**Address**

2927 N. McCord Rd., Suite 100

Toledo, OH 43615

**Telephone**

419-843-2424 - phone / 419-843-2533 - fax

FILED LUCAS COUNTY  
05/16/2022 12:07 PM  
COMMON PLEAS COURT  
BERNIE QUILTER, CLERK  
efile id 97234

IN THE COURT OF COMMON PLEAS OF LUCAS COUNTY, OHIO

SHARON HOOKS,  
7310 Bueller Court  
Sylvania, OH 43560

Plaintiff,

vs.

WAFFLE HOUSE, UNIT 1544  
6725 West Central Avenue  
Toledo, OH 43617

Defendant,

and

WAFFLE HOUSE, INC.  
c/o Corporation Service Company  
50 West Broad Street, Suite 1330  
Columbus, OH 43215

Defendant.

Case No.: **G-4801-CI-0202202385-000**  
Judge  
**JOSEPH V. MCNAMARA**

**COMPLAINT**

D. Lee Johnson (0044081)  
Andrew B. Wobser (100626)  
**JOHNSON & ASSOCIATES**  
2927 North McCord Road, Suite 100  
Toledo, OH 43615  
(419) 843-2424  
(419) 843-2533 – Fax  
[Lee@LeeJohnsonLegal.com](mailto:Lee@LeeJohnsonLegal.com)  
[Andrew@LeeJohnsonLegal.com](mailto:Andrew@LeeJohnsonLegal.com)  
Attorneys for Plaintiff

Now comes Plaintiff Sharon Hooks, by and through counsel, and hereby states the following as her *Complaint*:

**COMMON ALLEGATIONS**

1. Plaintiff Sharon Hooks is, and was at all times relevant hereto, a resident of the City of Sylvania, Lucas County, Ohio.

2. Defendant Waffle House, Unit 1544 (hereinafter referred to as “Waffle House”) is, and was at all times relevant hereto, a duly licensed company doing business throughout the State of Ohio including Lucas County, Ohio.
3. Defendant Waffle House, Inc., is, and was at all times relevant hereto, a duly licensed company doing business throughout the State of Ohio including Lucas County, Ohio, and serves as the statutory agent of Defendant Waffle House.
4. On or about April 25, 2021, Plaintiff Sharon Hooks went to Waffle House located at 6725 West Central Avenue, Toledo, Lucas County, Ohio 43617.
5. While Plaintiff was dining at Waffle House, she went to use the restroom located inside Defendant’s establishment, however, the restroom was not usable due to dirty and unclean conditions.
6. Prior to Plaintiff being able to use the restroom, an employee of Waffle House hastily and haphazardly cleaned the bathroom. This included the employee cleaning the restroom floor with cleaning supplies.
7. When the employee was done cleaning the restroom, customers were allowed to access the restroom, despite the employee’s knowledge that the floor was still wet, slippery, not fully cleaned, and not ready for customer use.
8. Defendant Waffle House’s employees failed to warn customers, including Plaintiff, of the dangerous conditions in the restroom. Further, the employees put no wet floor signs in or around the restroom to warn of the restroom’s dangerous condition.
9. When Plaintiff entered the restroom, she slipped and fell because of the wet bathroom floor as she was not warned of the bathroom’s conditions and no wet floor signs were posted, causing her to sustain several injuries.

10. As a direct and proximate result of the negligent acts and/or omissions of Defendant Waffle House, Plaintiff suffered serious personal injuries, including but not limited to, injury to Plaintiff's head, as it was struck on the toilet when she fell, injury to her knee, left leg, shoulder, neck, left arm, and ribs.
11. As a direct and proximate result of the negligent acts and/or omissions of Defendants, Plaintiff:
  - a. sustained serious personal injuries, requiring medical treatment;
  - b. has incurred medical expenses which continue as of the date of this filing; and
  - c. continues to endure severe pain and discomfort.

**COUNT I**

**Negligence – Defendants Waffle House, Unit 1544, and Waffle House, Inc.**

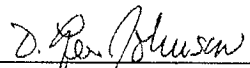
12. Plaintiff re-alleges and incorporates paragraphs 1 – 11 as if fully rewritten herein.
13. Defendant Waffle House is, and was at all times relevant hereto, responsible for the operation, management, possession, inspection, and control, of its store located at the location listed in Paragraph 4.
14. Defendant Waffle House at all times relevant hereto had a duty to maintain and/or operate the location listed in Paragraph 4 in a safe and non-negligent manner.
15. Defendant Waffle House at all times relevant hereto had a duty to not create a dangerous condition in the bathroom at the location listed in Paragraph 4 and had a duty to adequately remove the dangerous condition and/or properly warn customers of the dangerous condition that employees knew existed.
16. On or about April 25, 2021, Defendant Waffle House committed common law negligence by creating a dangerous condition in the restroom, by failing to clean up the wet floor in the restroom and/or by not placing wet floor signs in the restroom to warn customers of the

danger, and by failing to warn customers, including Plaintiff, of the dangerous condition that employees knew existed.

17. As a direct and proximate result of the negligent acts and/or omissions of Defendant Waffle House, Plaintiff Hooks has been damaged as set forth herein.

WHEREFORE, Plaintiff Sharon Hooks prays for judgment against Defendant Waffle House, in an amount in excess of \$25,000.00, plus interest, costs, and other relief that justice so requires on Count I of *Plaintiff's Complaint*.

Respectfully Submitted,  
**JOHNSON & ASSOCIATES**

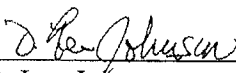
  
\_\_\_\_\_  
D. Lee Johnson  
Attorney for Plaintiff

**PRAECIPE**

**TO THE CLERK:**

Please proceed with certified mail service, return receipt requested, upon the Defendants at the addresses listed in the caption of *Plaintiff's Complaint*.

Respectfully Submitted,  
**JOHNSON & ASSOCIATES**

  
\_\_\_\_\_  
D. Lee Johnson  
Attorney for Plaintiff

**LUCAS COUNTY COMMON PLEAS COURT**

CORNER ADAMS & ERIE STREETS

TOLEDO, OHIO 43604

**SUMMONS**

**CIVIL ACTION**

**FILING TYPE:**

**OTHER TORT**

WAFFLE HOUSE, UNIT 1544  
6725 WEST CENTRAL AVENUE  
TOLEDO, OH 43617

G-4801-CI-0202202385-000  
JUDGE: JOSEPH V MCNAMARA

You have the right to seek legal counsel. If you cannot afford a lawyer, you may contact the Legal Services of Northwest Ohio. If you do not qualify for services by the Legal Services of Northwest Ohio and do not know an attorney you may contact the Toledo Bar Association's Lawyer Referral Service (419) 242-2000.

You have been named as a defendant in a Complaint filed in this Court by the plaintiff named below. A copy of the Complaint is attached to this Summons.

You are hereby summoned and required to serve upon the plaintiff's attorney, or upon the plaintiff, if he has no attorney of record, a copy of an answer to the complaint, within twenty-eight (28) days after you receive this Summons, exclusive of the day of service or to an amended complaint within the remaining response time to the complaint or 14 days, whichever period may be longer. Your answer must be filed with the Clerk of Court of Common Pleas within three (3) days after the service of a copy of the Answer on the plaintiff's attorney.

If you fail to serve and file your Answer, judgment by default will be rendered against you for the relief demanded in the Complaint.

PLAINTIFF (S)

SHARON HOOKS  
7310 BUELLER COURT  
SYLVANIA, OH 43560

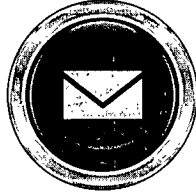
ATTORNEY FOR PLAINTIFF(S)

ANDREW B WOBSEY  
2927 NORTH MCCORD ROAD SUITE 100  
TOLEDO, OH 43615

BERNIE QUILTER  
CLERK OF COURTS

Date: May 17, 2022

  
\_\_\_\_\_, Clerk



**IF YOU DO NOT HIRE AN ATTORNEY  
PLEASE READ & RESPOND**  
(mark one & respond)

☐

I request to be notified by email

My email address \_\_\_\_\_

**Send email to:** Lwatt@co.lucas.oh.us  
**Subject:** G-4801-CI-0202202385-000  
WAFFLE HOUSE UNIT 1544  
**Message:** Your email address

**OR**

☐

I request to be notified by regular mail  
(Clerk will forward to Court for approval)

My mailing address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Return this Form with your address to:**  
Clerk of Court  
Lucas County Common Pleas Court  
700 Adams  
Toledo, OH 43604

**If you do NOT hire an attorney & fail to respond  
you will NOT receive notification of events related to this case**

Case Information is available Online at:  
[www.co.lucas.oh.us/Clerk](http://www.co.lucas.oh.us/Clerk)  
click on the "Dockets Online" link

*Local Rule 5.05 H. SERVICE BY CLERK'S OFFICE Once journalized, the Clerk of courts Office will transmit the entries to the email address submitted by the parties. Counsel for a party or Pro Se litigant representing themselves who do not have an email address may, by motion, request ordinary mail service of entries by the Clerk of Courts Office.*



**LUCAS COUNTY COMMON PLEAS COURT**

CORNER ADAMS & ERIE STREETS  
TOLEDO, OHIO 43604

**SUMMONS  
CIVIL ACTION**

**FILING TYPE:**

**OTHER TORT**

WAFFLE HOUSE INC  
C/O CORPORATION SERVICE COMPANY  
50 WEST BROAD STREET STE 1330  
COLUMBUS, OH 43215

G-4801-CI-0202202385-000  
JUDGE: JOSEPH V MCNAMARA

You have the right to seek legal counsel. If you cannot afford a lawyer, you may contact the Legal Services of Northwest Ohio. If you do not qualify for services by the Legal Services of Northwest Ohio and do not know an attorney you may contact the Toledo Bar Association's Lawyer Referral Service (419) 242-2000.

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If you fail to serve and file your Answer, judgment by default will be rendered against you for the relief demanded in the Complaint.

PLAINTIFF (S)

SHARON HOOKS  
7310 BUELLER COURT  
SYLVANIA, OH 43560

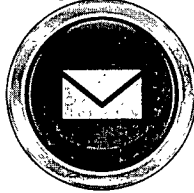
ATTORNEY FOR PLAINTIFF(S)

ANDREW B WOBSEY  
2927 NORTH MCCORD ROAD SUITE 100  
TOLEDO, OH 43615

BERNIE QUILTER  
CLERK OF COURTS

Date: May 17, 2022

 , Clerk



**IF YOU DO NOT HIRE AN ATTORNEY  
PLEASE READ & RESPOND**  
(mark one & respond)

☐

I request to be notified by email

My email address \_\_\_\_\_

**Send email to:** Lwatt@co.lucas.oh.us  
**Subject:** G-4801-CI-0202202385-000  
WAFFLE HOUSE INC  
**Message:** Your email address

**OR**

☐

I request to be notified by regular mail  
(Clerk will forward to Court for approval)

My mailing address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Return this Form with your address to:**  
Clerk of Court  
Lucas County Common Pleas Court  
700 Adams  
Toledo, OH 43604

**If you do NOT hire an attorney & fail to respond  
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*Local Rule 5.05 H. SERVICE BY CLERK'S OFFICE Once journalized, the Clerk of courts Office will transmit the entries to the email address submitted by the parties. Counsel for a party or Pro Se litigant representing themselves who do not have an email address may, by motion, request ordinary mail service of entries by the Clerk of Courts Office.*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WAFFLE HOUSE UNIT 1544  
G-4801-CI-0202202385-000 #9 KB  
6725 WEST CENTRAL AVENUE  
TOLEDO, OH 43617



9590 9402 6202 0220 1300 88

2. Article Number (Transfer from service label)

7022 0410 0000 2364 0102

A. Signature

*[Handwritten Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

*Alysa Stagle*

C. Date of Delivery

5-19-22

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

USPS TRACKING #



9590 9402 6202 0220 1300 88

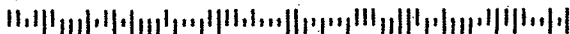
**United States  
Postal Service**



MAY 24 2022

• Sender: Please print your name, address, and ZIP+4® in this box •

Lucas Co. Com. Pleas Court  
Bernie Quilter, Clerk  
Lucas County Clerk of Courts  
700 Adams St.  
Toledo, Ohio 43604



- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WAFFLE HOUSE INC  
G-4801-CI-0202202385-000 #9 KB  
C/O CORPORATION SERVICE COMPANY  
50 WEST BROAD STREET STE 1330  
COLUMBUS, OH 43215



9590 9402 6202 0220 1300 71

2. Article Number (Transfer from service label)

7022 0410 0000 2364 0119

A. Signature

RECEIVED

X

Corporation Service Company

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

MAY 23 2022

D. Is delivery address different from item 1? ☐ Yes

☐ No

If YES, enter delivery address below:

Amy E. Kuhlman  
Agent

3. Service Type

☐ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery  
(over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted  
Delivery

☐ Signature Confirmation™

☐ Signature Confirmation  
Restricted Delivery

USPS TRACKING#



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

7590 9402 6203 0220 1300 71

United States  
Postal Service

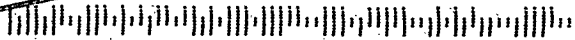
Sender: Please print your name, address, and ZIP+4® in this box®

Bernie Quilter  
Lucas County Clerk of Courts  
700 Adams St.  
Toledo, Ohio 43604

FILED

MAY 26 2022

Lucas Co. Com. Pleas.  
Bernie Quilter, Clerk



FILED LUCAS COUNTY  
06/14/2022 10:02 AM  
COMMON PLEAS COURT  
BERNIE QUILTER, CLERK  
efile id 99358

C

**IN THE COMMON PLEAS COURT OF LUCAS COUNTY, OHIO**

SHARON HOOKS,

Plaintiff,

v.

WAFFLE HOUSE, UNIT 1544, et al.,

Defendants.

: Case No. G-4801-CI-0202202385-000

: Judge Joseph V. McNamara

: **NOTICE OF APPEARANCE**

Now comes Molly E. Davis and Justin D. Harris and hereby enters their notice of appearance as counsel of record for Defendants Waffle House, Unit 1544 and Waffle House, Inc. All further correspondence and notices should be sent to the undersigned.

Respectfully submitted,

/s/Molly E. Davis

Molly E. Davis (0097484)  
REMINGER CO., L.P.A.  
One SeaGate, Suite 1600  
Toledo, Ohio 43604  
(419) 254-1311  
(419) 243-7830 Fax  
mdavis@reminger.com

Justin D. Harris (0078252)  
REMINGER CO., L.P.A.  
154 Columbus Avenue  
Sandusky, OH 44870  
(419) 609-1311  
(419) 626-4805 Fax  
jharris@reminger.com

*Counsel for Defendants Waffle House, Unit  
1544 and Waffle House, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was sent this 14th day of June 2022 via electronic mail only to:

D. Lee Johnson (0044081)  
Andrew B. Wobser (100626)  
Johnson & Associates  
2927 North McCord Road, Suite 100  
Toledo, OH 43615  
[Lee@LeeJohnsonLegal.com](mailto:Lee@LeeJohnsonLegal.com)  
[Andrew@LeeJohnsonLegal.com](mailto:Andrew@LeeJohnsonLegal.com)

*Counsel for Plaintiff*

/s/Molly E. Davis

Molly E. Davis (0097484)

Justin D. Harris (0078252)

*Counsel for Defendants Waffle House, Unit  
1544 and Waffle House, Inc.*



**RECEIVED**

JUN 14 2022

FILED  
LUCAS COUNTY

BERNIE QUILTER, CLERK OF COURTS  
THE COURT OF COMMON PLEAS OF LUCAS COUNTY, OHIO

SHARON HOOKS,

Plaintiff

COMMON PLEAS COURT  
BERNIE QUILTER  
CLERK OF COURTS

Case No. G-4801-CI-0202202385-000

VS

WAFFLE HOUSE, UNIT 1544, et al.

Defendant

JUDGE: Joseph V. McNamara

**REQUEST FOR EXTENSION AND  
JOURNAL ENTRY**

~~Plaintiff~~ WAFFLE HOUSE, UNIT 1544 and  
Defendant WAFFLE HOUSE, INC.

requests a FIRST EXTENSION, not

exceeding 28 days, to MOVE, PLEAD, OR OTHERWISE RESPOND on or before the

12th day of July 20 22

Opposing Counsel has been properly notified of this request.

MOLLY E. DAVIS (0097484)

ATTORNEY (TYPE OR PRINT)

WAFFLE HOUSE, UNIT 1544 and  
WAFFLE HOUSE, INC.

REPRESENTING (TYPE OR PRINT)



SIGNATURE

\*\*\*\*\*  
The foregoing request is APPROVED/DENIED, and it is so ORDERED.

  
JUDGE JOSEPH V. MCNAMARA

NOTE: This is to be used only for a FIRST extension of time for a Responsive Pleading to a Complaint, Counter-Claim, or Third Party Complaint (Gen. R. 5.04 (A)). The Court requires that this form be printed on YELLOW PAPER.

**E-JOURNALIZED**

JUN 17 2022